

07/20/01  
U.S. PTO

F-23-01

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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>NEW UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket Number	61628-05744
		First Named Inventor	Ziya Aral
		Title	Method and Apparatus for Asynchronous Mirroring Using TCP/IP Internet Protocol
		Express Mail Label No.	EL566199824US

<b>APPLICATION ELEMENTS</b>		<b>ACCOMPANYING APPLICATION PARTS</b>	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 3. <input checked="" type="checkbox"/> Specification                          Total Pages <input type="text" value="26"/> (preferred arrangement set forth below) <input checked="" type="checkbox"/> Descriptive Title of the Invention <input checked="" type="checkbox"/> Cross Reference(s) to Related Case(s) <input checked="" type="checkbox"/> Statement Regarding Fed sponsored R & D <input checked="" type="checkbox"/> Background of the Invention <input checked="" type="checkbox"/> Brief Summary of the Invention <input checked="" type="checkbox"/> Brief Description of the Drawing(s) <input checked="" type="checkbox"/> Detailed Description <input checked="" type="checkbox"/> Claim or Claims <input checked="" type="checkbox"/> Abstract of the Disclosure		7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 8. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 9. <input type="checkbox"/> Power of Attorney or Authorization of Agent 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement  11. <input type="checkbox"/> Preliminary Amendment 12. <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Citation(s) 13. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent 14. <input checked="" type="checkbox"/> Return Postcard 15. <input type="checkbox"/> _____ 16. <input type="checkbox"/> _____ 17. <input type="checkbox"/> _____	
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113)                          Total Sheets <input type="text" value="9"/> 5. Oath or Declaration a. <input checked="" type="checkbox"/> New Declaration                          Total Pages <input type="text" value="-4-"/> <input checked="" type="checkbox"/> Executed (original) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).		<b>ADDRESS TO:</b> Box Patent Application Commissioner for Patents Washington, D.C. 20231	
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76			

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

 Continuation    Divisional    Continuation-in-part (CIP)    of prior application No: \_\_\_\_ / \_\_\_\_

Prior application information: Examiner: \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS** Customer Number and Bar Code  
Label

00758

Name (Print/Type)	Laura A. Majerus	Registration No. (Attorney/Agent)	33,417
Signature	Laura Majerus	Date	7/20/01

1C973-5810662  
09/20/01

0002/PTO(modified) U.S. Department of Commerce  
Rev. 10/2000 Patent and Trademark Office

**FEE TRANSMITTAL**

**TOTAL AMOUNT OF PAYMENT**

**Subtotal (1) + Subtotal (2) + Subtotal (3) =**

Attorney Docket Number 61628-05744

**Complete if Known**

Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	Ziya Aral
Group Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Attorney Docket Number	61628-05744

## **METHOD OF PAYMENT**

**1. The Commissioner is hereby authorized to:**

- Charge the indicated fees to the below mentioned deposit account.
  - Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. †
  - Applicant claims small entity status  
See 37 CFR 1.27

**Deposit Account Number:** 19-2555

**Deposit Account Name:** FENWICK & WEST LLP

A Duplicate Copy of this authorization is attached

2.  Payment Enclosed:  
 Check     Credit Card     Other

**FEES** **CALCULATION** (fees effective 10/01/2000)

**1. FILING FEE**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Due</u>
Fee Code/Fee	Fee Code/Fee		
<b>101/\$710</b>	<b>201/\$355</b>	Utility Filing	<b>710</b>
<b>106/\$320</b>	<b>206/\$160</b>	Design Filing	
<b>208/\$710</b>	<b>208/\$355</b>	Reissue	
<b>114/\$150</b>	<b>214/\$75</b>	Provisional Filing	
<b>SUBTOTAL (1)</b>		<b>(\$ 710.00)</b>	

## **2. CLAIMS**

<u>Large Entity Fee Code/Fee</u>	<u>Small Entity Fee Code/Fee</u>	<u>Fee Description</u>
<b>103/\$18</b>	<b>203/\$9</b>	Claims in excess of 20
<b>102/\$80</b>	<b>202/\$40</b>	Independent claims in excess of 3
<b>104/\$270</b>	<b>204/\$135</b>	Multiple dependent claim
<b>109/\$80</b>	<b>209/\$40</b>	Reissue independent claims over original patent
<b>110/\$18</b>	<b>210/\$9</b>	Reissue claims in excess of 20 and over original patent

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<b>3. ADDITIONAL FEES</b>			
<u>Large Entity</u>	<u>Small Entity</u>		
Fee Code/Fee	Fee Code/Fee	Fee Description	Fee Due
105/\$130	205/\$65	Surcharge - late filing fee or oath	
127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	
147/\$2,520	147/\$2,520	For filing a request for reexamination	
115/\$110	215/\$55	Extension for response within first month†	
116/\$390	216/\$195	Extension for response within second month†	
117/\$890	217/\$445	Extension for response within third month†	
118/\$1,390	218/\$695	Extension for response within fourth month†	
128/\$1,890	228/\$945	Extension for response within fifth month†	
119/\$310	219/\$155	Notice of Appeal	
141/\$1,240	241/\$620	Petition to revive unintentionally abandoned application	
142/\$1,240	242/\$620	Utility Issue Fee (Or Reissue)	
143/\$440	243/\$220	Design Issue Fee	
122/\$130	122/\$130	Petitions to the Commissioner	
126/\$180	126/\$180	Submission of Information Disclosure Statement	
179/\$710	279/\$355	Request for Continued Examination (RCE)	
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	40
146/\$710	246/\$355	Filing a submission after final rejection (37 CFR 1.129(a))	
149/\$710	249/\$355	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee ( <i>specify</i> ):			
Other fee ( <i>specify</i> ):			
<b>SUBTOTAL (3)</b>			<b>(\$ 40.00)</b>

(Col. 1)	(Col. 2)	(Col. 3)	
For	Highest No. Previously Paid For	Extra**	Fee
TOTAL <b>20</b>	minus* 20 or <b>0</b>	=	X
INDEP <b>3</b>	minus* 3 or <b>0</b>	=	X
			=
			=

First presentation of multiple dependent claim

\* Subtract the greater number of Col. 2

**\*\* If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3**

**SUBTOTAL (2)**

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**SUBMITTED BY**

Typed or Printed Name **Laura A. Majerus**

**Complete (if applicable)**

33,417

Signature	Laura Mays	Date	7/20/01
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor		Ziya Aral
Title	Method and Apparatus for Asynchronous Mirroring Using TCP/IP Internet Protocol	
Atty Docket Number	61628-05744	

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

7/20/01

Date

Laura Majerus

Signature

Laura A. Majerus 33,417

Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement. This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Commissioner for Patents, Washington, DC 20231.